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*Attorneys for Plaintiff Primerica Life
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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

PRIMERICA LIFE INSURANCE COMPANY,
a foreign corporation,

Plaintiff,

v.

AARON LATERRELL HARRIS, SR., an
individual; TAH'JAE RAY, as potential special
representative of the ESTATE OF CANDACE
HARRIS,

Defendants.

CASE NO. 2:22-cv-00660-RFB-BNW

**MOTION FOR SCHEDULING
CONFERENCE PURSUANT TO
LOCAL RULE 22-1.**

AND RELATED COUNTERCLAIMS

Pursuant to Local rule 22-1, Interpleader Plaintiff Primerica Life Insurance Company (“Plaintiff”) hereby moves this court for a scheduling conference pursuant to Local Rule 22-1. This Motion is based on the pleadings and papers on file and the attached memorandum points and authorities.

MEMORANDUM OF POINTS AND AUTHORITIES

Local Rule 22-1 provides:

LR 22-1. INTERPLEADER ACTIONS

In all interpleader actions, the plaintiff must file a motion requesting that the court set a scheduling conference. The motion must be filed within 30 days after the first defendant answers or otherwise appears. At the scheduling conference, the plaintiff must advise the court about the status of service on all defendants who have not appeared. In addition, the court and parties will develop a briefing schedule or

discovery plan and scheduling order for resolving the parties' competing claims. If the plaintiff fails to prosecute the interpleader action by failing to file the motion required by this rule, the court may dismiss the action. No discharge will be granted and no plaintiff will be dismissed before the scheduling conference takes place.

Here, there are two defendants, Aaron Harris ("Harris") and Tah'jae Ray ("Ray"). Both defendants were served with the Summons and Complaint on April 23, 2022. (ECF Nos. 7, 8). On May 11, 2022, Harris filed his Answer (and Counterclaim), becoming the first defendant to answer or otherwise appear. (ECF No. 9).

On May 26, 2022, Primerica and Ray stipulated to provide Ray until June 8, 2022, to file and serve her answer. (ECF No. 10). The Court granted the extension on May 27, 2022. (ECF No. 11). As such, Ray's Answer to Primerica's Complaint in Interpleader is due on June 8, 2022. *Id.*

On June 1, 2022, Primerica filed its Motion to Dismiss Harris' Counterclaims for Failure to State a Claim. (ECF No. 12). Harris's Response is due on June 15, 2022.

However, with Harris having Answered, Plaintiff is on the clock to file this Motion pursuant to LR 22-1, and hereby requests the scheduling of a status conference. At the scheduling conference, Plaintiff work to create a briefing schedule and scheduling order and ask this court for an Order to deposit the contested interpleader funds and to dismiss Plaintiff from this action.

Accordingly, Plaintiff respectfully requests that this Court grant its Motion for a Scheduling Conference pursuant to Local Rule 22-1.

Dated this 1st day of June 2022.

ORDER

IT IS ORDERED that ECF No. 13 is GRANTED.

IT IS FURTHER ORDERED that a status conference is set for 6/24/2022 at 12:00 p.m. via Zoom video conference. Parties must contact courtroom administrator Jeff Miller at jeff_miller@nvd.uscourts.gov to obtain a Zoom invitation.

CLYDE & CO US LLP

by: /s/ Lee H. Gorlin
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Attorneys for Plaintiff Primerica Life Insurance Company

IT IS SO ORDERED

DATED: 9:08 pm, June 02, 2022



BRENDA WEKSLER
UNITED STATES MAGISTRATE JUDGE

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing **MOTION FOR SCHEDULING CONFERENCE PURSUANT TO LOCAL RULE 22-1.** was served by the method indicated:

☐ **BY FAX:** by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00 p.m. pursuant to EDCR Rule 7.26(a). A printed transmission record is attached to the file copy of this document(s).

☒ **BY U.S. MAIL:** by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Las Vegas, Nevada addressed to the parties who have yet to appear, as set forth below:

Aaron L. Harris, Sr. #928435
Clark County Detention Center
330 South Casino Center Boulevard
Las Vegas, Nevada 89101

☒ **BY ELECTRONIC SERVICE:** submitted to the above-entitled Court for electronic service upon the Court's Service List for the above-referenced case.

☒ **BY EMAIL:** by emailing a PDF of the document listed above to the email addresses of the individual(s) listed below.

Brandon W. McCoy Esq.
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dmassaro@mccoylelawgroup.com

Dated: June 1, 2022

/s/ Gina Brouse
An Employee of Clyde & Co US LLP